

He says, in effect, the items that we are talking about being exempted from the act, are exempted from the act with respect to any individual member who decides he or she will file with the Clerk of the Legislature a letter saying, "I want my records sealed up". If a person in effect opts out of the freedom of information act then those records of that individual member shall be sealed up. Senator Warner suggests that this amendment then allows each one of us in here, each of us 49, to decide for ourselves and our own constituency whether or not we want to have our records sealed from public view. Senator Warner suggests this is a more accountable method of handling this very, delicate, tricky and sensitive issue. Now my opinion is this. I think this is a bad amendment. The basic thesis behind, the basic premises behind this piece of legislation is this. We want to assure the public whether they reside in Scottsbluff, Nebraska; Hemingford, Nebraska; Omaha, Lincoln, Waverly or what have you, we want to assure the public that when they write to us or when they call us or what have you they may not be dogged by any other member of the public or the press or what have you, that they are assured of their confidentiality and privacy. Now if in fact we provide a local option system for individual senators, which is what Senator Warner is suggesting, then we really can not assure the people who happen to contact that particular senator who has decided to opt into the freedom of information act, so to speak, of the privacy that I think as a body we want to assure them. It would be equivalent in a sense for us allowing our committees our Banking Committee our Business and Labor Committee, our Revenue Committee, our Appropriation Committee to each have the decision making power as to whether or not to exempt people who testify from slander laws. Each committee could say well we have decided if you testify before our committee that you are going to be subject to the slander laws of the State of Nebraska in the event that you hurt someone's reputation. But if we gave each committee a local option in that respect, then anybody who wanted to give testimony to the Legislature would have to first find out precisely what the ground rules were before giving such testimony and that I think would have an inhibiting effect on the giving of testimony. So it seems to me that the better part of discretion is simply saying these are the rules of the road for all of we senators. There is no opting out, so to speak of this legislation, unless an individual senator decides along the way as a result of a request by the news media or anybody else for some information to give it. They can always do that. You can always do that. People are doing it right now. It is not a problem if one decides to do that. But to establish a